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RECOMMENDATION SUBMITTAL

DATE: September 24, 2015

TO: Catherine Payne, Chairperson of Performance and Accountability Committee

FROM: Tom Hutton, Executive Director

AGENDA ITEM: Action on Charter Contract Renewal Criteria

I. DESCRIPTION

Recommendation that the Committee recommend full Commission approval of the Charter Contract Renewal Criteria for the end of the 2014-2017 Charter Contract, as presented in this submittal.

II. Policy Context

Renewal, Nonrenewal, and Revocation: Pursuant to §302D-5(a), Hawaii Revised Statutes ("HRS"), "[a]uthorizers are responsible for executing the following essential powers and duties: . . . (6) Determining whether each charter contract merits renewal, nonrenewal, or revocation."

Additionally, HRS §302D-18(h) states that "An authorizer shall develop revocation and nonrenewal processes that . . . [p]rovide charter contract holders with a timely notification of the prospect of revocation or non-renewal and the reasons for such possible closure[.]"

Delegation of Duties: Pursuant to §302D-5(d), HRS, "[a]n authorizer may delegate its duties to officers, employees, and contractors."

III. BACKGROUND

On July 1, 2013, the Commission executed the inaugural one-year State Public Charter School Contract (“Charter Contract”) with each charter school, effective for the 2013-14 school year. Under this contract no school potentially faced non-renewal for poor performance.

On July 1, 2014, the Commission executed the second Charter Contract, which had a term of three years, beginning July 1, 2014, and ending June 30, 2017. At that time, the Commission determined that any school that achieved exemplary performance under the second Charter Contract (as was to have been defined at a future time and based on the school’s performance framework outcomes) would receive an automatic two-year extension of its Charter Contract.

The Commission’s original process and timeline approved at the March 12, 2015 Commission meeting adopted procedures and a timeline for the development and implementation of the Charter Contract renewal process. (See Exhibit 1).

On July 9, 2015, despite a delay in presenting a discussion draft of the renewal criteria, application and guidance, the Commission approved the discussion draft and adopted five guiding principles that would inform the development of the final renewal criteria and process. The guiding principles are:

1. Rather than receiving a two-year extension of their current contracts, as previously planned, exemplary schools will automatically be eligible for a new five-year contract.
2. Every school will be offered the possibility of renewal at the end of this contract term unless, in the case of a school whose performance falls in the lowest bracket, the school refuses to accept an additional probationary year in which the school must either achieve probationary benchmarks or close at the end of the probationary year.
3. A school’s performance under all three performance frameworks (academic, organizational, and financial) shall be factored into renewal decisions.
4. Where the Commission’s Academic Performance Framework (“APF”) departs from the Strive HI Performance System (“Strive HI”), as with the APF’s use of a weighted Academic Performance Index for multi-division schools and School-Specific Measures (“SSM”), the APF methodologies shall be used for renewal decisions.
5. For this round of renewals, Hawaiian Immersion schools shall be considered separately from other charter schools.

These guiding principles have served as an anchor for discussions while the original discussion draft provided a starting point for collaboration and input.

After approval of the discussion draft at the July 9, 2015 Commission Meeting, Commission staff began to actively solicit comments from the Hawaii Public Charter School Network (“HPCSN”), charter schools, and other stakeholders. In response to feedback given by schools that more

time was needed for stakeholder input, the period for stakeholder input that was originally approved by the Commission was extended an additional month. A list of the Commission's stakeholder engagement efforts are shown below:

Stakeholder Engagement Efforts

Date	Organization/Stakeholder	# of attendees
7/18/2015	Hawaii Public Charter School Network Meeting – members only	15+/-
7/24/2015	Webinar at 9:00 AM	15
7/27/2015	Webinar at 6:00 PM	11
7/29/2015	SEEQS Governing Board Meeting	7
8/6/2015	Na Lei Na'auao Meeting	20
8/18/2015	Ka 'Umeke Ka'eo PCS and Ke Ana La'ahana PCS Joint Governing Board Meeting	15
8/24/2015	Ho'olako Like Po'o PLC Presentation and Discussion	21
8/26/2015	Wai'alaie Public Charter School Governing Board Meeting	7
9/2/2015	Myron B. Thompson Academy Governing Board Meeting	10
9/8/2015	HE'E (Hui for Excellence in Education) Coalition Meeting	15
9/16/2015	Laupahoehoe Community Public Charter School Governing Board Meeting	13
9/17/2015	Voyager Public Charter School Governing Board Meeting	8
9/20/2015	Survey Monkey (opened online on July 19, 2015)	19

In addition, the Commission encouraged stakeholders to contact Commission staff directly to ask questions, provide feedback, and offer suggestions. Stakeholders were also invited to respond to an open-ended 10 question online survey using SurveyMonkey (See Exhibit 2 for a report on responses received).

As a result of the discussions and informational sessions that were held, significant changes have been made to the original discussion draft. Those changes are highlighted in red text within this submittal and in the application and are summarized as follows, additional comments and responses continue to be posted on the Commission website:

<http://www.chartercommission.hawaii.gov/#!public-comments-to-proposed-renewal-crit/ccjf>
(Exhibit 4)

- Schools that fall into Bracket 3 for academic performance (average three-year percentile ranking of between 20 and 49) have been made eligible for a three-year or two-year contract, instead of a two-year or one-year contract as originally proposed.

- Financial Performance and Organizational Performance Frameworks have been factored into the contract term for schools that fall into Bracket 1 for academic performance (average three- year percentile ranking of 90 or higher), by assigning these schools a five-year term if they meet standard under these Frameworks and a four-year term if they do not.
- Financial Performance and Organizational Performance Frameworks have been factored into the contract term for Hawaiian Immersion schools and Mālama Honua Public Charter School, by assigning these schools a three-year contract term provided they meet standard under these Frameworks and a two-year term if they do not.
- The Additional Indicators and their rubrics have been modified.
- A fifth Additional Indicator has been added allowing a school to earn bonus points if it (1) serves a majority of student who come the school in major entry years below grade level and (2) can show that these students are on track for academic success. These are bonus points so that this indicator will not disfavor schools that do not serve such a student population.
- The issue of high student mobility (framed as transiency) has been addressed by adding another bonus Additional Indicator that allows a school with 30% or greater student mobility during the school year to detail interventions and services that are provided by the school to lessen the impact of student mobility on the academic environment.
- A data-related appeal will be allowed during the probationary year for those schools that accept a probationary contract for an additional probationary year in lieu of the non-renewal process and, during that probationary year, dispute whether the probationary terms were met.
- The contract application has been revised so that schools that fall into all four Brackets for academic performance, not just those schools in Brackets 2 and 3, can submit additional information such as information related to the Additional Indicators.
- The application has been revised to invite those schools that have received Western Association of Schools and Colleges (WASC) Accreditation to include in their contract applications findings from their accreditation reports from WASC, as evidence of their school improvement efforts.
- In response to suggestion that the fourth year of Academic Performance Framework (APF) factor substantially in the renewal criteria for schools that opt for a probationary year in lieu of non-renewal, the following criteria will apply:

When the fourth year of APF results are averaged into the four-year average percentile ranking and the average is 20 or higher, the school will exit probation and be awarded a two- or three-year contract regardless of progress made towards probationary terms. When the four-year average ranking is between 11 and 19, the school will continue on probation, and renewal or closure will depend on whether or not the school meets the probationary terms. When the average percentile ranking is 10 or below, the school will close at the end of the school year regardless of progress made towards the probationary terms.

IV. DECISION-MAKING STATEMENT

This submittal describes the proposed criteria that will be applied to a school's academic, financial, and organizational performance to determine the length of the renewed contract. At this early stage, the Commission is not addressing substantive provisions of the next Charter Contract but only the renewal provisions and the term of years of the next contract.

The criteria for Hawaiian Immersion schools are addressed separately in this submittal for added clarity, based on the timeline of available academic results for each group. In addition, the renewal criteria for Mālama Honua Public Charter School ("Malama Honua") are addressed in the section of the submittal discussing the terms for the Hawaiian Immersion schools, because that school similarly will have limited data at the end of its current contract term.

Timeline for Renewal

In fall of this year, the Commission will have two years of Academic Performance Framework data for each charter school, except for Malama Honua and Ka'u Learning Academy.¹ In addition, this fall, the Commission will start Academic Monitoring, which will include data collection and analysis for schools that meet certain academic criteria.

By October 2016, schools will have three years of APF data. In December of that year, schools will begin the renewal application process. Schools that were selected to participate in Academic Monitoring will have a year and a half of tracking targeted academic goals by that time. The current contracts expire in June of 2017.

Fall of 2015	Fall of 2016	December 2016	June 2017	Fall 2017
<ul style="list-style-type: none"> • 3rd year of Strive HI • 2nd year of APF 	<ul style="list-style-type: none"> • 4th year of Strive HI • 3rd year of APF 	Contract renewal process begins	Current contracts expire	<ul style="list-style-type: none"> • 5th year of Strive HI • 4th year of APF
<i>Academic monitoring will</i>	<i>2nd year of Academic</i>		<i>New contract terms begin</i>	

¹ Ka'u Learning Academy's initial Charter Contract will not expire until 2021 and therefore will not be up for renewal in 2017.

Fall of 2015	Fall of 2016	December 2016	June 2017	Fall 2017
<i>begin for selected schools</i>	<i>monitoring for selected schools</i>			

A. Renewal Criteria for Non-Hawaiian Immersion Charter Schools

Step 1: First, all public schools statewide (Hawaii Department of Education (DOE) and charter) will be grouped by grade division (elementary, middle, and high). For this limited purpose, multi-division schools will be grouped by highest division served. Then, using the APF scores of charter schools (which comprise the weighted Academic Performance Index (API) and, if applicable, any School-Specific Measures (SSMs)) and the Strive HI API scores of DOE schools, all schools within each grade division will be ranked by academic performance. For example, if a school serves grades K-8, it will be compared to all middle schools statewide, but its weighted APF score, rather than its straight Strive HI API, will be used to reflect the academic performance of its population more accurately.

Step 2: Next, each school's average percentile ranking² will be calculated using three years' of data. This average percentile ranking will determine the bracket of renewal eligibility into which each school falls, as well as any additional criteria that will be used in the analysis.

Bracket 1	Average Percentile Ranking of 90 or higher
Bracket 2	Average Percentile Ranking of 50-89
Bracket 3	Average Percentile Ranking of 21-49
Bracket 4	Average Percentile Ranking of 20 or below

a. **Bracket 1: Three-Year Average Ranking of 90 or Higher**

If the average percentile ranking for three years is 90 or higher, the school will automatically be eligible for a full five-year contract if the school "Meets Expectations" in the overall annual performance ratings of both the Financial and Organizational Performance Frameworks. (In the alternative, the school still could opt for a two-year extension of the current contract, but based on feedback from schools it is assumed that any school performing this well will prefer a full, five-year contract.) **If a school in Bracket 1 earned a rating of "Does Not Meet" in either**

² Since percentile ranks are derived from a normal distribution (bell curve), they are not on an equal interval scale and are not suitable for averaging. A normal curve equivalent (NCE), on the other hand, is on an equal interval scale and is suitable for statistical calculations. In order to determine the three-year average percentile rank for each charter school, the percentile ranks for each relevant year (school years 2013-2014, 2014-2015, and 2015-2016) will be converted to NCEs, averaged, and then converted back to percentiles.

the Organizational Performance or Financial Performance annual rating, then the school would be eligible for only a four-year contract term.

b. Bracket 2: Three-Year Average Ranking of 50-89

Schools that have an average percentile ranking of between 50 and 89 will earn a three-year contract renewal term. These schools will be eligible for a fourth year on the contract term if the following criteria are met:

- i) No overall “Does Not Meet” rating on either the overall annual Financial or the Organizational Framework Assessment; and
- ii) An ***Additional Indicators*** score of 35 points or higher. (See the explanation of Additional Indicators, below. A more detailed explanation of how to complete the Additional Indicators will be explained in the *Application Draft*, attached here as **Exhibit 3**, and the rubric for evaluating the Additional Indicators included in the Application.)

Additional Indicators

The ***Additional Indicators*** consist of specific information that schools may or must provide, depending on their average ranking bracket. The purpose of the ***Additional Indicators*** section of the renewal application is to allow the school to tell the story behind its numbers. There are five sections: **Trend Indicators**, **Demographic Comparison**, **Gap Analysis**, the **School’s Renewal Narrative**, and **Academic Growth of Underserved Students**.

The ***Trend Indicators*** have a potential value of ten points. In this section, schools can highlight upward trends in academic performance on most Strive Hi indicators.

The ***Demographic Comparison*** section has a potential value of ten points. In this section schools can compare their performance to other “like schools” and can propose a definition of the “like schools” to which they should be compared. For example, a rural school serving a high poverty student population can propose to compare its data to other schools within its complex area, or to other rural schools statewide, or other schools serving a high poverty student population. This will allow the school to demonstrate how it is filling a compelling educational need in its community.

The ***Gap Analysis*** section has a potential value of ten points. This section is focused on the difference between the academic performance of High Needs students (students who qualify for Special Education Services, Free and Reduced

Lunch, or are English Language Learners) and that of non-High Needs students for the school year 2015-2016. If the school's gap rate is smaller than the statewide gap rate (demonstrating that the academic achievement of High-Needs students is close to that of non-High Needs students), then the school will receive ten points. If the school's gap rate is greater than the statewide gap rate, then the school will earn zero points but will have the opportunity to earn up to five points by providing a comprehensive plan for increasing the academic performance of its High-Needs students.

The ***School's Renewal Narrative*** section has a potential value of ten points. The purpose of this section is to allow schools to tell their story in terms of educational leadership and school management. In this section, schools would describe lessons they have learned and adjustments they have made along the way. Those adjustments might include significant actions such as an overhaul to curriculum, teaching methodologies, staffing, leadership, or professional development focus. This section should highlight corrective actions that already have been taken to improve student academic performance. It should demonstrate reflective school leadership that has been proactive in identifying shortfalls and taking decisive action to improve key academic outcomes. This section should not highlight plans for the future. Findings from the Accreditation report on the school by WASC, if applicable, could be cited here.

The ***Academic Growth of Underserved Students*** section is for up to ten **bonus points**, since not all schools will be eligible based on their student populations. In this section, a school can earn points by demonstrating that its students are entering the school in the school's major entry years with academic deficiencies of at least two years in Language Arts and Math, and showing it is making sufficient academic gains (measured by student growth) to put them on pace to reach grade level proficiencies by graduation.

Additionally, if a school has a **high student mobility rate** and can demonstrate it is aggressively addressing the impact of high mobility of their student population, then the school can earn additional bonus points.

Each section of the ***Additional Indicators*** has a rubric that will be provided to schools and to evaluators to explain how points will be awarded for each section and to ensure consistency for all schools.

c. **Bracket 3: Three-Year Average Ranking of 21-49**

When a school's three-year average percentile ranking falls within the range of 21-49, a point formula will be applied. The ***Additional Indicators*** will be added to the

three-year average, and five points will be subtracted for each overall rating of “Does Not Meet” under the Organization or Financial Framework Analysis. If the result under this point formula is equal to or greater than 61 points, then the renewal term will be **three** years. If the result is 60 or lower, the school will be granted a **two**-year renewal.

d. Bracket 4: Three-Year Average Ranking of 20 or Below

If a school’s average percentile ranking is 20 or below, then the school will have the option in lieu of non-renewal of entering into a one-year probationary contract. Schools in probation will already have been involved in Academic Monitoring and will continue to track academic targets on a quarterly basis and will be subject to quarterly reporting on these indicators. A school on probation will continue to work toward meeting its goals set in Academic Monitoring.


Strive HI and APF results for the 2016-2017 school year will be released in the fall of 2017 during the probationary year. These results will be averaged into a four-year average percentile ranking, and:

- i. If the average percentile ranking is 10 or lower, the school will be closed at the end of the school year regardless of progress made towards meeting the Probationary terms;
- ii. If the school’s four-year percentile ranking falls between 11 and 19, the probationary terms stay in place and the school will be awarded a contract if it meets those terms and will close if it fails to meet those terms; and
- iii. If the four-year average percentile ranking is 20 or higher, the school will exit probationary status and receive a two- or three-year contract at the end of the school year, regardless of progress made towards probationary terms.

The probationary terms for each school that falls in Bracket 4 will be approved by the Commission by the November 2016 Commission Meeting. If a school rejects the optional probationary terms and the year of probation, it will be afforded the opportunity to appeal the non-renewal decision.

If a school accepts the probationary terms and the probationary year but disputes the data calculations that inform the results of the probationary term, it may appeal the calculation of data in the spring of 2018.

Timeline for School With 3-Year Average Percentile Ranking of 20 or below

Fall 2016	November 2016	January 2017 School has 3 options	October/November 2017
Final Performance Report Issued: Three-year average percentile ranking 20 or below	Probationary Terms approved by the Commission	Option 1: Sign Probationary Contract with Approved Probationary terms 	Result 1: Four-Year Average Percentile ranking of 20 or above: released from probation, eligible for 2- or 3-year contract Result 2: Four-Year Average Percentile ranking between 11-19: School must meet Probationary Terms to receive 2- or 3-year contract. Failure to meet terms results in closure at end of 2017-2018 school year. Result 3: Four-Year Average Percentile ranking of 10 or lower: School closes at end of the 2017-2018 school year.
		Option 2: Reject probationary year and appeal non-renewal	
		Option 3: Reject probationary year, forgo appeal, and close at end of the 2016-2017 school year.	

B. Hawaiian Immersion Schools and Mālama Honua

In the spring of 2015, third and fourth grade students were given the first administration of the Hawaiian Language State Assessment. In the spring of 2016, third and fourth grade students will take the second administration of the test, and fifth and sixth graders will take the assessment for the first time. This will provide results for two grade levels in the spring of 2017; the first assessment for each grade level will constitute a pilot and will be used only to validate the test, school wide data will not be released to evaluate the academic performance of the school. (See table below.)

Hawaiian Immersion Timeline

Fall of 2015	Fall of 2016	December 2016	June 2017	Fall 2017
2 nd year of APF results where grades taught primarily in Hawaiian excluded.	First year of HLSA results for 3 rd and 4 th graders.	Contract renewal process begins	Current Contracts expire	First year of HLSA results for 5 th and 6 th graders; second year of results for 3 rd and 4 th graders.
<i>No school level results from Hawaiian Language Standardized Assessment (HLSA) for grades 3 and 4.</i>	<i>HLSA test results released to schools and Commission to determine baseline.</i>		<i>New Contract terms begin</i>	

When the contract renewal process begins in December of 2016, the Commission will only have one year of baseline academic performance data for two grade levels. With only one year of baseline data, it is impossible to make an accurate assessment of a school's overall health in regards to academic performance. Therefore the proposal is that each Hawaiian immersion school automatically receive a three-year contract renewal term, unless the school fails to meet standard under the Organizational or Financial Performance Framework, in which case it will receive a two-year contract renewal term.

The default three-year term was chosen for several reasons. By December of 2019, the Commission expects to have four years of assessment data for grades 3 and 4, three years of assessment data for grades 5 and 6, two years of assessment data for grades 7 and 8, and one year of assessment data for grades 9 and 10. This will be sufficient data upon which to base the high-stakes decision of renewal. In addition, within the new contract period, Hawaiian immersion schools would be eligible for Academic Monitoring, which could allow the Commission to closely monitor academic progress and allow the schools to closely track the success of school improvement efforts.

Similarly, the proposal is to grant Mālama Honua three-year contract, again subject to its meeting standard on organizational and financial performance. Mālama Honua will not have academic results in the fall of 2015, since currently it only expanded to the third grade this school year. Like the Hawaiian immersion schools, it will have its first

set of academic data in the fall of 2016 when it receives the results from the assessment of its first third grade class.

This plan, consistent with the Guiding Principles adopted by the Commission, is intended to provide a clear and fair method for determining the term of contract renewals for charter schools in the spring of 2017. The criteria measure school performance relative to other schools statewide and allow schools to demonstrate upward trends, compare performance to schools serving a similar demographic, and be recognized for closing the achievement gap between High Needs students and Non-High Needs students. In addition, the criteria allow for schools to tell the story behind their numbers and to highlight their reflective and proactive school leadership.

C. The Preliminary Renewal Performance Report and Final Renewal Performance Report

HRS 302D-18(b)³ and Hawaii Administrative Rules §8-505-12⁴ require the Commission to issue a charter school performance report and charter contract renewal application

³ **§302D-18 Renewals, revocations, and non-renewals.**

(b) The authorizer shall issue a charter school performance report and charter contract renewal application guidance to any charter school whose charter contract is in its final contract year. The performance report shall summarize the charter school's performance record to date, based on the data required by this chapter and the charter contract, and shall provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may jeopardize its position in seeking renewal.

(c) The renewal application guidance shall, at a minimum, provide an opportunity for the public charter school to:

- (1) Submit any corrections or clarifications to the performance report;
- (2) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
- (3) Describe improvements undertaken or planned for the school; and
- (4) Detail the charter school's plans for the next charter term.

(d) The renewal application guidance shall include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, which shall be based on the charter contract and be consistent with this chapter.

(e) No later than thirty days after the issuance of the performance report, the governing board of a charter school seeking renewal shall submit a renewal application to the authorizer pursuant to the renewal guidance issued by the authorizer. The authorizer shall decide whether or not to renew the charter no later than forty-five days after the filing of the renewal application.

⁴ **§8-505-12 Performance report; notification of prospect of nonrenewal.** (a) The commission shall prepare a charter school performance report for each charter school whose charter contract will expire the following year. The performance report shall summarize the charter school's performance record to date, shall be in writing, and shall be served upon the charter contract holder by registered or certified mail.

(b) If applicable, the performance report shall notify the charter contract holder of any weaknesses, deficiencies, or concerns which may result in nonrenewal of the contract and shall include but not be limited to the following:

- (1) A clear and specific statement of the charter school's weaknesses or deficiencies, with references to the applicable contract terms or performance standards that have not been met; and
- (2) A statement that the charter contract holder, in its response, may request a hearing conducted in accordance with section 8-505-20 and may request legal representation subject to section 28-8.3, Hawaii Revised Statutes.

(c) The charter school shall have thirty days from the date of mailing of the performance report to submit a renewal application, to respond to the performance report and any identified weaknesses, deficiencies, or concerns, to submit any corrections or clarifications for the report, and to request a hearing.

(d) If the charter contract holder disputes the commission's assessment or claim of weaknesses or deficiencies, the commission, after considering the charter contract holder's response, shall reaffirm, modify, or retract its earlier notification of

guidance to any charter school whose charter contract is in its final contract year. The performance report shall summarize the charter school's performance record to date, based on the data required by this chapter and the charter contract, and shall provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may jeopardize its position in seeking renewal.

The Preliminary Renewal Performance Report will be issued in July of 2016, before the 2015-2016 APF data are available, but will contain the 2013-2014 and 2014-2015 APF and financial data. The Final Renewal Performance Report (see Figure 1 on the following pages) for each school will be issued by November 14, 2016, after 2015-2016 data are added but before each school completes its Renewal Application. The Performance Report therefore will not contain information not already known by the school.

Fall of 2015	July 2016	Fall of 2016	October 201	December 2016	June 2017	Fall 2017
2 nd year of APF	Preliminary Renewal Performance Report Issued	3 rd year of APF, all Framework results published in Annual Report	Final Renewal Performance Report Issued	Contract renewal process begins	Current contracts expire	4 th year of APF all Framework results published in Annual Report

The information will include school's API ratings, percentile rank, average ranking, and performance rating on the Financial and Organizational Frameworks. A copy of the Final Renewal Performance Report will be incorporated into the Renewal Application. This is intended to provide a clear, easy-to-understand report that is convenient for reference when filling out the Renewal Application and is intended to make the process as seamless as possible.

Upon the Commission's adoption of this contract renewal, the issuance of the preliminary and final performance reports will include more detailed application guidance as required by statute. The procedural guidance for contract renewal will be issued with these preliminary and final renewal performance reports and will be submitted to the Commission for approval at a later date.

weaknesses or deficiencies, and shall so notify the charter contract holder in writing served by registered or certified mail. [Eff NOV 30, 2014] (Auth: HRS §302D-3.5) (Imp: HRS §302D-18)

Figure 1
Charter.School.Performance Report

Academic Performance

Academic Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016
1. <i>INFORMATIONAL</i> : Academic Performance Framework (APF) score	[score]	[score]	Data available in Fall 2016
2. School percentile ranking	[ranking]	[ranking]	Data available in Fall 2016
3. Three-year average school percentile ranking	[ranking]		

Organizational Performance

In order for a school to receive an overall rating of “Meets Standard,” the school must satisfy the “Meets Standard” expectations described in the “Overall Rating Criteria” table below. The individual rating criteria for each of the Organizational Performance Indicators are also provided below.

Overall Rating Criteria

Meets Standard	Does Not Meet Standard
Falls in the “Meets Standard” category for all 5 Organizational Performance Indicators	Falls in the “Does Not Meet Standard” category for 1 Organizational Performance Indicator or more

Individual Rating Criteria

Organizational Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016	Target/Standard
1. On-time completion rate for Epicenter tasks	-	-	[rate]	70% or higher
2. Number of Notices of Deficiency received	-	-	[#]	1 or fewer
3. Number of incidents of non-compliance with governing board meeting requirements	-	-	[#]	2 or fewer

4. Number of incidents of non-compliance with school policy requirements	-	-	[#]	1 or fewer
5. Satisfactory completion of Compliance Review tasks	-	-	Number of items not completed satisfactorily	1 or fewer items not completed satisfactorily
OVERALL RATING	-	-	[overall rating]	Meets standard

Note: Organizational Performance data were not collected for all indicators in SY 2013-2014 and SY 2014-2015, so these data are not included in this report.

Financial Performance

Note: The Financial Performance data for SY 2013-2014 and SY 2014-2015 are provided for informational purposes. The SY 2014-2015 data for Unrestricted Days Cash on Hand are also provided in order to determine whether there is a positive trend from SY 2014-2015 to SY 2015-2016.

Since the Overall Financial Performance Rating Criteria were developed after SY 2014-2015, they will not be retroactively applied to the SY 2013-2014 or SY 2014-2015 data; therefore, schools will not receive an overall rating for these years.

Overall Rating Criteria

Meets Standard	Does Not Meet Standard
Satisfies the “Meets Standard” category for Unrestricted Days Cash on Hand AND Falls in the “Meets Standard” category for four or more <i>additional</i> Financial Performance Indicators	Satisfies in the “Meets Standard” category for four or fewer Financial Performance Indicators and/or Does Not Meet Standard for Unrestricted Days Cash on Hand

Individual Rating Criteria

Financial Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016	Target/Standard
1. Current Ratio	[ratio]	[ratio]	[ratio]	1.1 or higher
2. Unrestricted Days Cash on Hand	[#] days	[#] days	[#] days	60 days or more; 30 to 60 days AND positive trend from SY 2014-2015 to SY 2015-2016
3. Enrollment Variance	[%]	[%]	[%]	95% or higher
4. Total Margin	[%]	[%]	[%]	0% or higher
5. Debt to Assets Ratio	[%]	[%]	[%]	50% or less
6. Cash Flow	[\$]	[\$]	[\$]	\$0.00 or more

7. Unrestricted Fund Balance Percentage	[%]	[%]	[%]	<i>25% or higher</i>
8. Change in Total Fund Balance	[\$]	[\$]	[\$]	<i>\$0.00 or more</i>
OVERALL RATING	-	-	[overall rating]	

D. The Application for Charter Contract Renewal

The Application (**Exhibit 2**) requests essential information about the school and will contain a copy of the Charter School Performance Report. The application is intended to provide the Commission with pertinent information about the past and future operations of the school. The Application also details assurances that outline expectations for the upcoming contract term.

V. RECOMMENDATION

Moved that the Committee:

- 1. Recommend to the Commission to approve the Proposed Contract Renewal Criteria as set forth in this submittal.**

Exhibit 1

Charter Contract Renewal Procedures and Estimated Timeline

Charter Contract Renewal Procedures and Estimated Timeline

Estimated Date	Procedure
February thru March 2015	Staff researches and composes the preliminary draft of the Renewal Application, Criteria, and Guidance.
April/May 2015	Staff presents the preliminary draft of the Renewal Application, Criteria, and Guidance to the Performance and Accountability Committee and the Commission. The Commission approves the preliminary draft to be sent to charter schools for comment, and staff releases the preliminary draft of the Renewal Application, Criteria, and Guidance to charter schools.
May thru July 2015 (Actual date: July 9, 2015 to September 20, 2015)	Staff solicits comments from the Hawaii Public Charter School Network (“HPCSN”) and schools and holds webinars on the preliminary draft of the Renewal Application, Criteria, and Guidance.
August 2015 (Actual date: September 2015)	Staff reviews and considers comments and prepares final draft of the Renewal Application, Criteria, and Guidance.
August/September 2015 (Actual date: September 24, 2015 and October 8, 2015)	Staff presents the final draft of the Renewal Application, Criteria, and Guidance to the Performance and Accountability Committee and the Commission. The Commission approves and releases the Renewal Application, Criteria, and Guidance.
October 2015 thru January 2016	Staff holds webinars and/or orientations for each governing board and school leader on the Renewal Application, Criteria, and Guidance.
November/December 2015	Staff develops draft criteria for determining “exemplary” designation for automatic two-year renewals based on performance frameworks.
January 2016	Staff solicits comments from HPCSN and schools on draft criteria for determining “exemplary” designation.
February/March 2016	Staff presents the revised draft of the “exemplary” criteria to the Performance and Accountability Committee and the Commission for approval.
July 2016	Staff releases Preliminary Charter School Performance Reports, which contain performance data on SY 2013-14 and 2014-15 only, to each charter school.
September thru November 2016	Staff updates Charter School Performance Reports with performance data from SY 2015-16.

November 2016	The Commission approves Charter School Performance Reports, approves “exemplary” charter schools (as determined by the “exemplary” criteria and pursuant to the Charter Contract ¹), and issues Charter School Performance Reports to all schools, pursuant to law ² . The Commission informs Board of Education (“BOE”) and “exemplary” schools of two-year Charter Contract extension. The Commission notifies the Department of Education (“DOE”) of schools not designated as “exemplary” and undergoing renewal, and those schools notify parents of renewal process (as required by the Renewal Application).
December 2016	Governing boards of charter schools not designated as “exemplary” submit Renewal Applications and requests for hearing to the Commission within 30 days of receiving a Charter School Performance Report. ³
January 2017	The Commission holds hearings for charter schools requesting a hearing. ⁴

¹ Charter Contract §1.1 The term of this Contract shall [be] three years, commencing on July 1, 2014, and terminating on June 30, 2017; provided that if the School demonstrates exemplary performance, as determined by the Commission, on the Performance Frameworks under Section 4.1, it shall be granted a two-year extension through June 30, 2019.

² HRS §302D-18(b) The authorizer shall issue a charter school performance report and charter contract renewal application guidance to any charter school whose charter contract is in its final contract year.
HRS §302D-18(h)(1) An authorizer shall develop revocation and non-renewal processes that . . . [p]rovide charter contract holders with a timely notification of the prospect of revocation or non-renewal and the reasons for such possible closure[.]

³ HRS §302D-18(e) No later than thirty days after the issuance of the performance report, the governing board of a charter school seeking renewal shall submit a renewal application to the authorizer pursuant to the renewal guidance issued by the authorizer.

HRS §302D-18(h)(2) An authorizer shall develop revocation and non-renewal processes that . . . [a]llow charter contract holders a reasonable amount of time in which to prepare a response[.]

HAR §8-505-12(c) The charter school shall have thirty days from the date of mailing of the performance report to submit a renewal application, to respond to the performance report and any identified weaknesses, deficiencies, or concerns, to submit any corrections or clarifications for the report, and to request a hearing.

⁴ HRS §302D-18(h)(3) An authorizer shall develop revocation and non-renewal processes that . . . [p]rovide charter contract holders with an opportunity to submit documents and give testimony challenging the rationale for closure and supporting the continuation of the school at an orderly proceeding held for that purpose[.]

February 2017	The Commission decides whether or not to renew Charter Contracts of schools not designated as “exemplary” within 45 days of receiving Renewal Applications. ⁵ Within 15 days of the decisions, the Commission simultaneously notifies the BOE and each respective charter school of renewal and nonrenewal actions. ⁶ The Commission notifies DOE and media of renewal and nonrenewal decisions.
March thru May 2017	Governing boards whose charter contracts are not renewed may file for an appeal with the BOE within 21 days of receiving notification of nonrenewal ⁷ and the appeals process ensues. The BOE makes decisions on appeals within 60 days from the filing of an appeal. ⁸
May 2017	Commission initiates Closure Protocol for schools whose Charter Contracts are not being renewed. (Note: The School Closure Policy and Closure Protocol will be developed separately, tentatively targeted to be completed by November 2015.)

⁵ HRS §302D-18(e) The authorizer shall decide whether or not to renew the charter no later than forty-five days after the filing of the renewal application.

HRS §302D-18(h)(6) An authorizer shall develop revocation and non-renewal processes that . . . [a]fter a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter contract holders.

HAR §8-505-13(a) The commission shall make a final decision on whether or not to renew the charter contract within forty-five days following receipt of the application for contract renewal and after the hearing, if held.

⁶ HRS §302D-18(j) Within fifteen days of taking action to renew, not to renew, or to revoke a charter contract, the authorizer shall report to the board the action taken, and shall simultaneously provide a copy of the report to the charter school.

HAR §8-505-13(b) Within fifteen days of making its decision to renew or not renew the charter contract, the commission shall issue its decision in writing, served upon the charter contract holder by registered or certified mail with return receipt requested. The decision shall set forth, with reasonable specificity, the reason for its decision. The decision shall also include a statement that the charter contract holder may file an appeal with the board within twenty-one calendar days of receipt of the written decision of nonrenewal. The written decision shall be simultaneously transmitted to the board.

⁷ HRS §302D-15(a) An appeal shall be filed with the board within twenty-one calendar days of the receipt of the notification of denial or revocation. Only a party whose charter application has been denied, whose charter contract renewal has been denied, or whose charter contract has been revoked may initiate an appeal under this section for cause.

HAR §8-510-4 An appeal shall be filed with the board within twenty-one days after the applicant's or the charter school's receipt of the notification of the authorizer's decision. For these purposes, an authorizer's notification of decision shall be deemed received three days after the date of mailing to the applicant or charter school as computed in accordance with section 8-510-14.

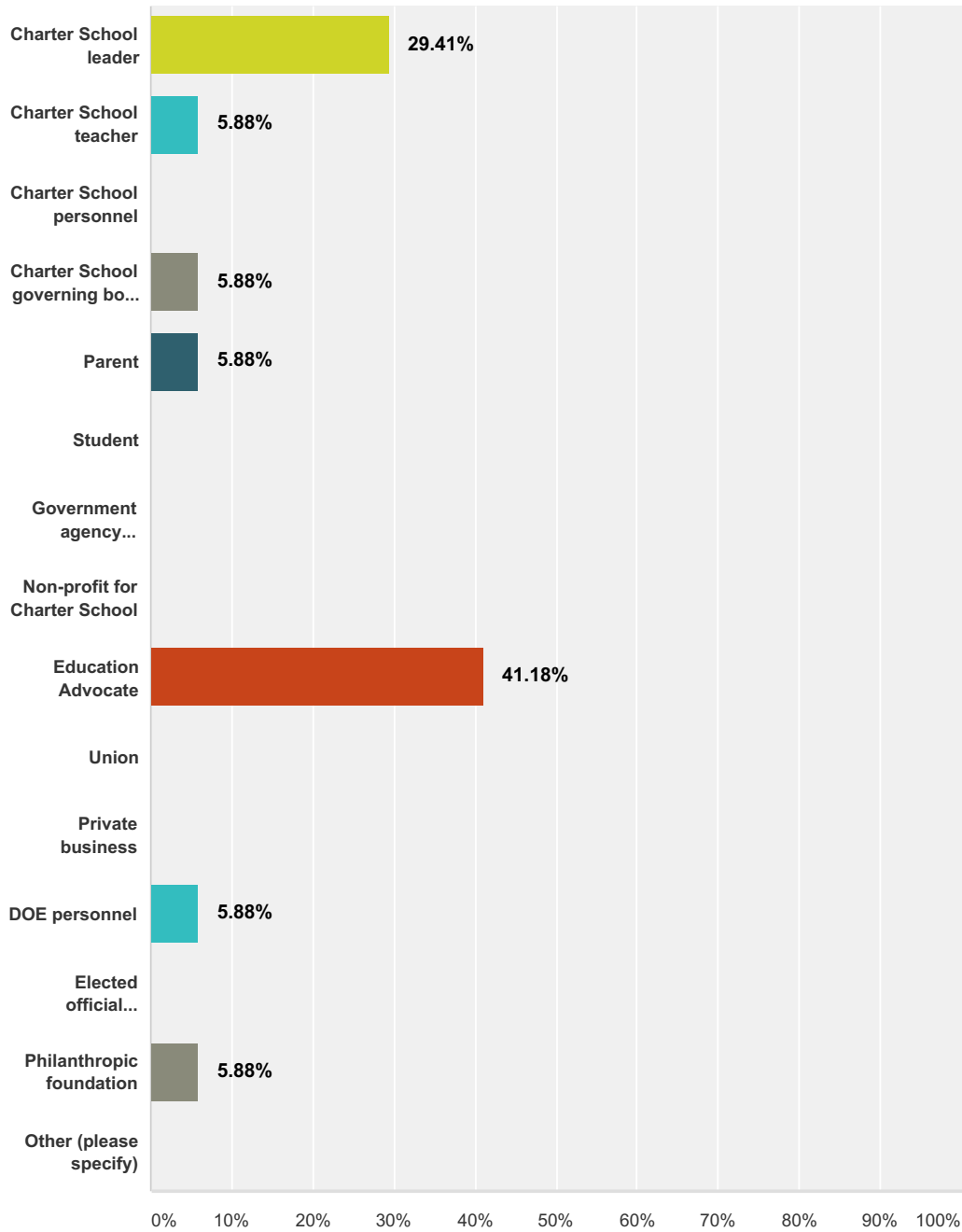
⁸ HRS §302D-15(a) The board shall review an appeal and issue a final decision within sixty calendar days of the filing of the appeal.

Exhibit 2

SurveyMonkey Results

Q2 What best describes your stakeholder group?

Answered: 17 Skipped: 0



Answer Choices	Responses	
Charter School leader	29.41%	5
Charter School teacher	5.88%	1
Charter School personnel	0.00%	0
Charter School governing board member	5.88%	1

Parent	5.88%	1
Student	0.00%	0
Government agency (Federal/State/County)	0.00%	0
Non-profit for Charter School	0.00%	0
Education Advocate	41.18%	7
Union	0.00%	0
Private business	0.00%	0
DOE personnel	5.88%	1
Elected official (Federal/State/County)	0.00%	0
Philanthropic foundation	5.88%	1
Other (please specify)	0.00%	0
Total		17

Q3 Do you have any comments, questions, or suggestions regarding the brackets that determine the number of years of the new contract? (See page 14 of the Draft Renewal Application)

Answered: 6 Skipped: 11

#	Responses	Date
1	Brackets seem well thought out	9/18/2015 6:59 PM
2	I believe four-five years to be a reason term, but in Hawaii, where our schools have struggled so mightily, I have to wonder if five year terms are too long except for the most exemplary.	9/12/2015 2:41 PM
3	Number of years seems fair. Additional year for probationary contract seems generous.	9/6/2015 4:09 PM
4	No comments but a quantitative basis for renewal is important at this stage in the lifecycle of charter schools.	9/1/2015 12:31 AM
5	If the basis for renewal remains the *average*, Renewal Performance Bracket 3 would be better as a 2-year contract eligible for one additional year, otherwise one bad year could ruin a school's potential. Alternately, an average weighted towards more recent years might be something to consider.	8/10/2015 12:03 PM
6	The brackets are fine, however I do support the narratives being included for all categories.	8/7/2015 7:04 PM

Q4 Do you have any comments, questions, or suggestions regarding the option for schools that would otherwise be facing non-renewal to instead be given an additional probationary year in which they would need to meet probationary terms or be closed?

Answered: 5 Skipped: 12

#	Responses	Date
1	Generous and fair	9/18/2015 6:59 PM
2	At some point, for the most egregiously failing schools, it seems important that we stop kicking the can down the road. It is hard to close a school. Very hard and it causes tremendous outcry, no matter how poorly a school has been failing its students. The reality is that charter schools were designed to have more autonomy and flexibility in exchange for more accountability. This is a difficult, but important step, to close schools that are the weakest and show little progress toward improvement. Nationally, we know that most failing schools ever become strong schools. The most significant exception is among CMOs that have the expertise and bench depth to solve a school that is floundering in the short term.	9/12/2015 2:41 PM
3	My question would be what alerts/supports the schools have received up to that point. If there has already been considerable communication and supports, then one year probation seems to be overly generous. However, if there has been minimum communication and supports and because it is a first year of the new system, then one year seems reasonable.	9/6/2015 4:09 PM
4	I believe the probationary status is an appropriate balance and provide the school an opportunity to make course adjustments	9/1/2015 12:31 AM
5	I think a one year timeline is going to be difficult for many schools. I support the urgency, but also think for some schools this is unrealistic. I think the comparison between schools in the DOE complex should be considered prior to closing. In some areas the charter performance is reportedly higher than all DOE schools. In [REDACTED] area, we are the only school, don't know how closing would benefit the community in such a fast turn around.	8/7/2015 7:04 PM

Q5 Do you have any comments, questions, or suggestions regarding the Renewal Performance Report provided within the application? (See pages 10 - 13 of the Draft Renewal Application.)

Answered: 4 Skipped: 13

#	Responses	Date
1	No	9/18/2015 6:59 PM
2	It appears to be straightforward	9/6/2015 4:09 PM
3	This is important but appears to be "after the fact" reporting. There are no goals set for improvement.	9/1/2015 12:31 AM
4	Using the averages of percentile ranks could be detrimental to schools who do have two years of growth...averages can be detrimental if they have an outlier score. I am interested in the weighting or emphasis of each portion, and am unclear exactly how this was determined, or if it has been already determined.	8/7/2015 7:04 PM

Q6 Do you have any comments, questions, or suggestions regarding the additional indicator questions or rubrics? (See pages 17 - 25 and 29 - 34 of the Draft Renewal Application.)

Answered: 3 Skipped: 14

#	Responses	Date
1	No	9/18/2015 6:59 PM
2	Takes into account a variety of factors, which is good. I am not an expert in school performance, but it seems that many of the charter schools are actively engaging community or families as part of their strategies. However, there does not seem to be an indicator addressing this aspect. The DOE uses the School Quality Survey (SQS) to measure parent satisfaction, which doesn't capture all of the "engagement," but it is at least an indicator to show how families feel about a school.	9/6/2015 4:09 PM
3	Do charter school operators really understand what is meant by the examples of corrective actions?"	9/1/2015 12:31 AM

Q7 Do you have any comments, questions, or suggestions regarding any other specific part of the application ? (Please indicate page number of the Draft Renewal Application and be as specific as possible.)

Answered: 4 Skipped: 13

#	Responses	Date
1	No	9/18/2015 6:59 PM
2	It is comprehensive and straightforward.	9/6/2015 4:09 PM
3	I have concerns that the application does not fully address the governance issues facing charter schools. Do governing board members really understand their roles and responsibilities? I would recommend that each governing board member be required to submit a certification that they will meet the statutory responsibilities of their positions.	9/1/2015 12:31 AM
4	I was surprised by the fierce opposition to accountability measures. I moved here from [REDACTED], so this was the norm. I think Hawaii is overwhelmed at how fast this is rolling out. I think i, and many charters need additional training on strive hi changes that are apparently occurring. That could come from DOE or the commission. For example, the talk of algebra was new to me. If that is indeed happening the school's need to know in order to adjust our curriculum immediately.	8/7/2015 7:04 PM

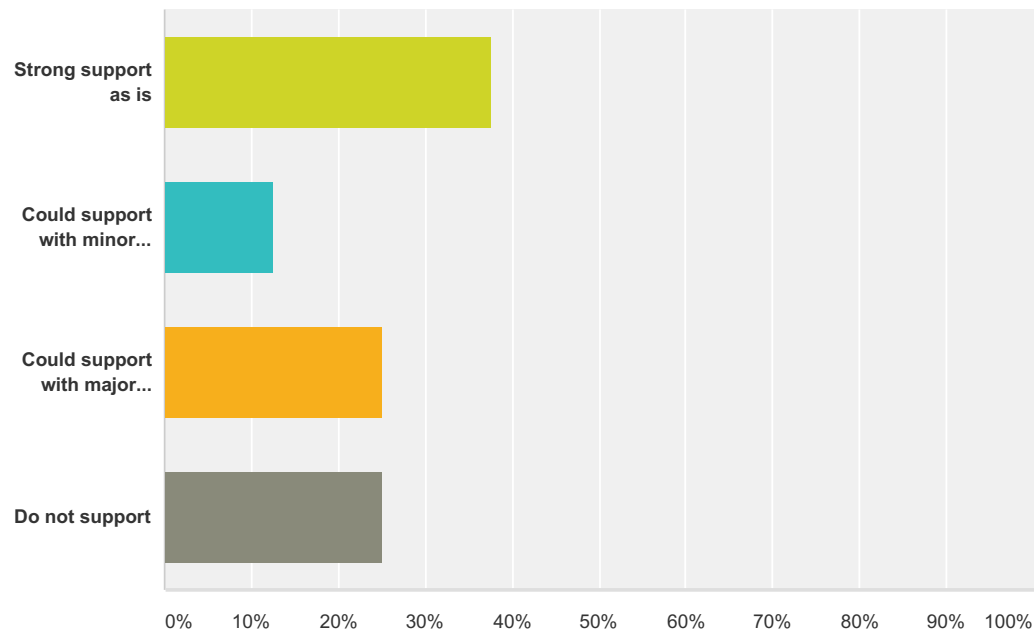
Q8 If you need additional space to provide feedback on any of the previous questions in this survey, please use the space below to complete your response. (Please be sure to identify the question or issue, or you may also email your response to info@spcsc.hawaii.gov.)

Answered: 2 Skipped: 15

#	Responses	Date
1	I do not see any opportunities for schools to address their strategic directions and visions for improvement to their schools as compared to their counterparts in the non-charter public school sector.	9/1/2015 12:31 AM
2	Accountability is good in my opinion, but charters should not be held to a higher standard than DOE schools, especially when the current funding inequities are in place. The state needs to correct this soon in my opinion, and I am shocked it hasn't been challenged already. I would think the Commission would play a large role in this advocacy.	8/7/2015 7:04 PM

Q9 Based upon the review of the entire application and criteria, how would you describe your overall reaction to the draft renewal application and criteria?

Answered: 8 Skipped: 9



Answer Choices	Responses	
Strong support as is	37.50%	3
Could support with minor changes	12.50%	1
Could support with major changes	25.00%	2
Do not support	25.00%	2
Total		8

Q10 Please explain your answer to Question 9.

Answered: 6 Skipped: 11

#	Responses	Date
1	Renewal process is challenging but fair, and will lead to academic excellence for schools and for students, preparing them for a bright future.	9/18/2015 7:17 PM
2	For the first time, non-renewal would be possible for academic reasons. That means school closure might be possible for academic reasons. This is very difficult, but it is necessary. That is the premise of charter schools. We have enough failing DOE schools; charters have to be better. It's not enough to be a safe or culturally responsive alternative. We can do better. We can be culturally responsive AND provide a rigorous academic experience. We need to give our students options, and these are public schools. They have to be accountable for results.	9/12/2015 2:45 PM
3	Contract is comprehensive and straightforward.	9/6/2015 4:09 PM
4	I believe the application is an opportunity for the Commission to send a strong message to charter school governing boards and operational leaders. Strategic planning is very important and without strategic vision for continued improvement and enhancement, charter schools will languish in Hawaii's pathetic educational system.	9/1/2015 12:39 AM
5	1. It would be great to see how [REDACTED] measure with Draft Charter Contract renewal matrix. Where would we be? As much as the commission staff tried to create an objective set of criteria, the bottom line is that each school wants to see the immediate impact of the proposed draft criteria--this is especially important since the criteria are being created after the fact and being applied retroactively with information from past year. If the criteria were being applied with future years, beginning with 2015-2016, the criteria might not be such a problem. At least schools and boards would know what the renewal criteria would be in the future--not as it applies retroactively. 2. If you move your timeline one year later, and notify schools of their status after the 2015-2016 school year, schools would not feel blind sided. 3. For [REDACTED] School, I would like to see a metric of how the APF criteria would be applied, especially since we run parallel Hawaiian Immersion and English program grades. It is difficult to give feedback unless we see a prototype of how the APF would impact our school. The devil is in the details. 4. Charter Schools also have a understanding of a "bi-lateral" contract in which school can negotiate with the commission. Where is this notion of negotiation? Or is this an idea no longer in existence.	8/22/2015 5:30 PM
6	It is time to hold schools accountable, I think my issues are with the timelines more than the substance.	8/7/2015 7:05 PM

Exhibit 3
Application



State Public Charter School Commission Charter Contract Renewal Application and Guidance

Charter Application for
<Name of Charter School>

Charter Contract Renewal Criteria, Process and Application

Pursuant to HRS §302D-18, the Hawaii State Public Charter School Commission ("Commission") has adopted the process articulated in this application for the renewal of existing charter school contract. New contracts will have terms of one to five years and will be awarded based on performance, demonstrated capacities, and particular circumstances of each charter school. The Commission may grant a renewal of a charter contract with specific conditions for necessary improvements to a charter school. All charter schools that currently have contracts that expire on June 30, 2017, are eligible to apply for a new contract via this process. The applicant should promptly review and verify information pre-populated in this application by the Commission for accuracy and call any discrepancies to the Commission's attention

In July 2016, the Commission will issue a preliminary Charter School Performance Report (for the purpose of contract renewal). In the fall of 2016, the Commission will issue a final Charter School Performance Report to each of these charter schools and provide Charter Contract Renewal Application Guidance to all charter schools whose charter contract ends on June 30, 2017.

The Report summarizes the charter school's performance record to date, based on the data required by HRS§302D and the charter contract, and provides notice of any weaknesses or concerns the Commission has concerning the charter school that may jeopardize its position in seeking renewal. A copy of the final performance report has been incorporated into this pre-populated application for the applicant's convenience and reference.

This renewal application fulfills the requirements of HRS§302D-18 and Hawaii Administrative Rules §8-505-12 to provide an opportunity for the public charter school to:

- (1) Submit any corrections or clarifications to the performance report;
- (2) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
- (3) Describe improvements undertaken or planned for the school; and
- (4) Detail the charter school's plans for the next charter term.

The Commission's renewal decisions will be guided by the contract renewal criteria that the Commission approved on October 8, 2015, which are based on the July 1, 2014 to June 30, 2017 contract and consistent with HRS§302D.



Hawaii State Public Charter School Commission 2017 Charter Contract Renewal Application for Charter Contract term July 1, 2014 to June 30, 2017

School Basic information				
Name of School	<Commission to pre-populate/school to verify>			
School location & address(es) <i>(list all if there are multiple campuses)</i>	<Commission to pre-populate/school to verify>			
School website address	<Commission to pre-populate/school to verify>			
School telephone and fax number	<Commission to pre-populate/school to verify>			
Type of Charter	<input type="checkbox"/> Startup	<input type="checkbox"/> Conversion	Geographic Area(s) served	<Commission to pre-populate /school to verify>
Hawaiian Immersion	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Original Chartered Grade Span	<Commission to pre-populate/school to verify>		Current Grade Span	<Commission to pre-populate /school to verify>
School Hours			Year Opened	<Commission to pre-populate/school to verify>
Applicant Information				
Governing Board Chair Name				
Governing Board Chair Address / Telephone#				
Governing Board Chair Email address				
Date renewal application approved by governing board			Date renewal application received by Commission	(for Commission use)

School's Mission, Vision, and Essential Terms	
Mission Statement	<Commission to pre-populate/school to verify>
Any revisions to the school's Mission	
Vision	<Commission to pre-populate/school to verify>
Any revisions to the school's Vision	
<p>Is the school meeting its Essential Terms as delineated in the current contract?</p> <p>Essential Terms are defined as the critical characteristics that define a charter school's program and addresses the program and the school's fidelity to their program.</p> <p><i>For each Essential Term, provide an explanation (no more than 2 paragraphs) as to whether or not your school has met its essential terms over the course of the current contract.</i></p>	
Essential Term 1	<Commission to pre-populate/school to verify>

Should the school's charter be renewed, state any changes to this essential term the school seeks to make for the next contract term here:

Essential Term 2

<Commission to pre-populate/school to verify>

Should the school's charter be renewed, state any changes to this essential term the school seeks to make for the next contract term here:

Essential Term 3	<Commission to pre-populate/school to verify>
<p>Should the school's charter be renewed, state any changes to this essential term the school seeks to make for the next contract term here:</p>	
Essential Term 4	<Commission to pre-populate/school to verify>

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Should the school’s charter be renewed, state any changes to this essential term the school seeks to make for the next contract term here:

Essential Term 5	<Commission to pre-populate/school to verify>
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Should the school’s charter be renewed, state any changes to this essential term the school seeks to make for the next contract term here:

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STATISTICAL OVERVIEW OF CURRENT PERFORMANCE CONTRACT PERIOD

The Commission has pre-populated this data, the applicant must review and verify the data for accuracy and make necessary changes by striking through incorrect data and replacing with updated information. For those items not pre-populated, the applicant must fill in the data. The Commission may seek clarification from the applicant regarding any updated information before determining whether to accept the changes.

Additional Data	SY 2014-2015	SY 2015-2016	SY 2016-2017
Grades Served			
# of lottery applications (Previous Spring)	<School to provide these data>		
% of Students Returning from Previous Year <i>(excluding students in the first and last grade offered, e.g. K-5, then count students for gr. 1-4 only)</i>			
% Special Education Students			
% English Language Learners			
% Students Eligible for Free/Reduced Lunch			
Average Daily Attendance Rate			
Number of In-School Suspensions	<School to provide these data>		
Number of Out-of-School Suspensions			
Number of Expulsions			
# of Teachers			
# of Unlicensed Teachers			
# of Teachers Returning From Previous Year			
# of Other Professional Staff			
#of Paraprofessionals			
Name of School Leader			

School Enrollment Trends							
	2013-2014		2014-2015		2015-2016		
	Projected Enrollment	Final Enrollment Count	Projected Enrollment	Final Enrollment Count	Projected Enrollment	Final Enrollment Count (total #=blended +virtual, if offered)	# of students waitlisted
Pre-K							
K							
Grade 1							
Grade 2							
Grade 3							
Grade 4							
Grade 5							
Grade 6							
Grade 7							
Grade 8							
Grade 9							
Grade 10							
Grade 11							
Grade 12							
Total							

Commission to pre-populate
this information and school to
verify

School to fill in this information

Charter School Programs

Grade	Number of hours per week traditional “brick & mortar” students required to meet at school	Number of students in blended ¹ program, if applicable	Number of hours per week students in blended program receive in person instruction	Number of students in virtual ² program, if applicable
Pre-K				
K				
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

¹ A blended program is defined as the delivery of instruction at the school for a minimum of five hours a week in combination with online learning or instruction where the student has some control over time, place, path, or pace of learning.

² A virtual program is defined as a school that uses an online instructional model with students typically spending fewer than five hours per week in a school building.

For Hawaiian Immersion Schools Only:

For each grade level served, list the number of class periods taught primarily in Hawaiian and the number of class periods taught primarily in English.

Grade Level	Number of Class Periods Taught Primarily in Hawaiian	Number of Class Periods Taught Primarily in English
Pre-K		
K		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

Governance

Governing Board composition and changes over the last three years.

Applicant will verify this information.

School Year	Total Membership	Members Joining	Members Departing
2014-2015	Commission will pre-populate this information	Commission will pre-populate this information	Commission will pre-populate this information
2015-2016	Commission will pre-populate this information	Commission will pre-populate this information	Commission will pre-populate this information
2016-2017	Commission will pre-populate this information	Commission will pre-populate this information	Commission will pre-populate this information

Charter School Performance

On or before July 1, 2016, all charter schools will receive a preliminary Charter School Performance Report, and by November 14, 2016, will receive their final Charter School Performance Report. This report will determine the school's renewal contract length eligibility. The school's report is duplicated here for your reference.

Final Charter School Performance Report

Academic Performance

Academic Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016
1. <i>INFORMATIONAL</i> : Academic Performance Framework (APF) score	[score]	[score]	Data available in Fall 2016
2. School percentile ranking	[ranking]	[ranking]	Data available in Fall 2016
3. Three-year average school percentile ranking	[ranking]		

Organizational Performance

In order for a school to receive an overall rating of "Meets Standard," the school must satisfy the "Meets Standard" expectations described in the "Overall Rating Criteria" table below. The individual rating criteria for each of the Organizational Performance Indicators are also provided below.

Overall Rating Criteria

Meets Standard	Does Not Meet Standard
Falls in the "Meets Standard" category for all 5 Organizational Performance Indicators	Falls in the "Does Not Meet Standard" category for 1 Organizational Performance Indicator or more

Individual Rating Criteria

Individual Rating Criteria	Meets Standard	Does Not Meet Standard
On-time completion rate for Epicenter tasks	70% or higher	69-51%
Number of Notices of Deficiency issued	1 or fewer	2-3
Number of incidents of non-compliance with governing board meeting requirements	2 or fewer	3-5
Number of incidents of non-compliance with school policy requirements	1 or fewer	2
Satisfactory completion of Compliance Review tasks	1 or fewer items not completed satisfactorily	2 or more items not completed satisfactorily

School Results

Organizational Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016	Target/Standard
1. On-time completion rate for Epicenter tasks	-	-	[rate]	70% or higher
2. Number of Notices of Deficiency received	-	-	[#]	1 or fewer
3. Number of incidents of non-compliance with governing board meeting requirements	-	-	[#]	2 or fewer
4. Number of incidents of non-compliance with school policy requirements	-	-	[#]	1 or fewer
5. Satisfactory completion of Compliance Review tasks	-	-	Number of items not completed satisfactorily	1 or fewer items not completed satisfactorily
OVERALL RATING	-	-	[overall rating]	Meets standard

Note: Organizational Performance data were not collected for all indicators in SY 2013-2014 and SY 2014-2015, so these data are not included in this report.

Financial Performance

Note: The Financial Performance data for SY 2013-2014 and SY 2014-2015 are provided for informational purposes. The SY 2014-2015 data for Unrestricted Days Cash on Hand are also provided in order to determine whether there is a positive trend from SY 2014-2015 to SY 2015-2016.

Since the Overall Financial Performance Rating Criteria were developed after SY 2014-2015, they will not be retroactively applied to the SY 2013-2014 or SY 2014-2015 data; therefore, schools will not receive an overall rating for these years.

Overall Rating Criteria

Meets Standard	Does Not Meet Standard
<p>Satisfies the “Meets Standard” category for Unrestricted Days Cash on Hand</p> <p>AND</p> <p>Falls in the “Meets Standard” category for four or more <i>additional</i> Financial Performance Indicators</p>	<p>Satisfies in the “Meets Standard” category for four or fewer Financial Performance Indicators and/or Does Not Meet Standard for Unrestricted Days Cash on Hand</p>

Individual Rating Criteria

Financial Performance Indicators	SY 2013-2014	SY 2014-2015	SY 2015-2016	Target/Standard
1. Current Ratio	[ratio]	[ratio]	[ratio]	1.1 or higher
2. Unrestricted Days Cash on Hand	[#] days	[#] days	[#] days	60 days or more; 30 to 60 days AND positive trend from SY 2014-2015 to SY 2015-2016
3. Enrollment Variance	[%]	[%]	[%]	95% or higher
4. Total Margin	[%]	[%]	[%]	0% or higher
5. Debt to Assets Ratio	[%]	[%]	[%]	50% or less
6. Cash Flow	[\$]	[\$]	[\$]	\$0.00 or more
7. Unrestricted Fund Balance Percentage	[%]	[%]	[%]	25% or higher
8. Change in Total Fund Balance	[\$]	[\$]	[\$]	\$0.00 or more
OVERALL RATING	-	-	[overall rating]	

Charter Contract Renewal Eligibility

The length of the school's new charter contract will be based upon the following:

Renewal Performance Bracket	Three-Year Average Percentile Ranking ¹	Contract Length
1	90 or higher	Applicant may choose a 2-year extension of current contract or new full 4-5-year contract
2	50-89	3 or 4 year contract
3	21-49	2 or 3 year contract
4	20 or below	1-year probationary contract or Non-renewal
Hawaiian Immersion School/Malama Honua		3-year contract unless does not meet rating for Org or Fin Performance, then 2-year contract
SCHOOL'S RENEWAL BRACKET IS:		<Pre-populate>

¹ Since percentile ranks are derived from a normal distribution (bell curve), they are not on an equal interval scale and are not suitable for averaging. A normal curve equivalent (NCE), on the other hand, is on an equal interval scale and is suitable for statistical calculations. In order to determine the three-year average percentile rank for each charter school, the percentile ranks for each relevant year (school years 2013-2014, 2014-2015, and 2015-2016) will be converted to NCEs, averaged, and then converted back to percentiles.

Once the Commission determines the school's renewal performance bracket, the charter contract length is determined as follows:

Bracket #	APF Percentile Ranking	Did the school receive an Organizational and Financial overall rating of "Meets Standard" in SY2015-2016?	Add points from Additional Indicators (up to 40 points)	Eligible for additional year?
1	90 or higher	Yes	Optional, no point value assigned	5-year new contract / 2 year extension
1	90 or higher	No	Optional, no point value assigned	No, only eligible for 4 year contract
2	50 to 89	Yes	Scores 35 to 40 points	Yes, school is eligible for 4-year contract
2	50 to 89	Yes	Scores 34 or less	No, school is eligible for 3-year contract
2	50 to 89	Yes	Chooses not to respond to Additional Academic Indicators	No, school is eligible for 3-year contract
2	50 to 89	NO, school received a "Does Not Meets" on Organization or Financial Framework	Optional, no point value assigned	No, school only eligible for 3-year contract
3	21 to 49	Yes	School MUST respond to Additional Indicators, points scored added to APF rank, if total number is 61 or higher	Yes, school eligible for a 3 -year contract

Bracket #	APF Percentile Ranking	Did the school receive an Organizational and Financial overall rating of “Meets Standard” in SY2015-2016?	Add points from Additional Indicators (up to 40 points)	Eligible for additional year?
3	21 to 49	NO, subtract 5 points for “Does Not Meets” on Organization or Financial overall rating	School MUST respond to Additional Indicators, points scored added to APF Percentile ranking, less any points from Organization/ Financial Performance; if total number is 60 or lower	No, school is eligible for 2-year contract
4	1 to 20	<p>SCHOOL IS NOT REQUIRED TO RESPOND TO ADDITIONAL INDICATORS</p> <p>If a school’s average ranking is 20 or below, then the school will enter into a one-year probation period. Schools in probation will already have been involved in Academic Monitoring and will continue to track academic targets on a quarterly basis and will be subject to quarterly reporting on these indicators. When a school’s academic performance necessitates the one-year of probation, the school will continue to work towards meeting its goals set in Academic Monitoring.</p> <p>When Strive HI and APF results are determined for the 16-17 SY, and the results are averaged into a 4-year percentile ranking, and that average is 20 or higher, the school will exit probationary status and be eligible for a 2 or 3 year contract, regardless of progress made towards probationary terms.</p> <p>If the 4-year average percentile ranking is between 11 and 19, the probationary terms stay in place and the school will be awarded a new contract if it meets those terms or will close if it does not meet the terms.</p> <p>When the 4-year percentile ranking is 10 or lower, the school will be closed at the end of the school year, regardless of the progress made towards the probationary terms.</p> <p>If the school does not wish to accept the one-year probationary contract, the school’s charter will not be renewed. The school may then exercise their right to appeal the non-renewal and closure.</p>		

Additional Indicators²

This section must be completed for applicants in Bracket 3, who have a three-year average ranking between 21 and 49. Applicants in Bracket 2, who have a three-year average percentile ranking between 50 and 89, must complete this section if they wish to apply for a four-year contract. **This section is optional for Hawaiian Immersion schools, Malama Honua, and applicants in Brackets 1 and 4.** Please refer to the evaluation rubric attached as Appendix D for an explanation of how the responses will be evaluated and assigned point values.

1. Academic Trend Indicators

Measure	Expectations	Actual (Applicant to fill in)
Strive HI API score	40 points growth from year 1 to year 3 (SY13-14 to SY15-16)	
Proficiency in ELA	Increase of 25 percentage points from year 1 to year 3 or attainment of 85% proficiency.	
Proficiency in Math	Increase of 25 percentage points from year 1 to year 3 or attainment of 85% proficiency.	
Chronic Absenteeism	Decrease of at least 10 percentage points from year 1 to year 3	
Percentage of students scoring 15 or greater than the Explore test.	Increase of at least 30 percentage points from year 1 to year 3 or 85% of students demonstrating college readiness.	
Percentage of students scoring 19 or more on the ACT.	Increase of at least 30 percentage points from year 1 to year 3 or 85% of students demonstrating college readiness.	
Graduation rate	<ul style="list-style-type: none"> For schools with a graduation rate of 70% or lower in 2013-2014 a rate of 87% or higher for all students and all specified subgroups. For schools with graduation rate of 71% or higher, increase in at least 20 percentage points from year 1 to year 3 or 95% graduation rate; OR Increase of at least 20 percentage points from year 1 to year 3 for students in specified subgroups. 	

² HRS§302D-18(c) provides all applicants, regardless of their Bracket, the opportunity to present additional evidence towards their application for renewal. These additional indicators provide schools with the opportunity to present evidence beyond the data contained in the performance report, supporting its case for charter renewal; and describe improvements undertaken or planned for the school. At the end of this renewal application preceding the appendices, applicants may provide additional information that details the applicant charter school's plans for the next charter term, along with any other information not already addressed in other parts of this application.

Briefly describe your academic trends for the relevant indicators.

DRAFT DRAFT DRAFT

2. Demographic Comparison

This section allows the Applicant to compare their academic results with those schools serving similar student populations. The Applicant may choose any demographic data and suitable comparison school(s), complex, or region. The proposed demographic comparison should be clearly and narrowly defined and should include data which show that the applicant is *serving a similar population* more effectively as evidenced by higher levels of in English Language Arts proficiency, Math proficiency and College Readiness Measures.

Demographic Comparison (continued)

DRAFT DRAFT DRAFT

3. Gap Analysis

The State gap between High Needs and Non-High Needs student performance is <Commission to pre-populate>.

<Pre-populate school name>'s gap rate between High-Needs and non-High Needs student performance is <pre-populate>. As a result, the applicant's gap is <pre-populate larger/smaller> than the state average.

If the Pre-populate school name>'s gap rate is larger than the state average, the application can include a plan to close the achievement gap. The plan should include research proven strategies, a timeline for implementation for each strategy and the personnel in charge of implementation and monitoring progress of the effectiveness of each strategy.

If the applicant's gap is smaller than the state gap, no action is required and 10 points will be awarded.

Gap Plan (continued)

DRAFT DRAFT DRAFT

4. Renewal Narrative

The renewal narrative should highlight corrective actions school leadership has taken to improve academic outcomes since school year 2013-2014. The narrative should demonstrate reflective school leadership that has been proactive in identifying shortfalls and taking decisive action to improve key academic outcomes, and a description of the resulting student outcomes that resulted. This section should not contain plans for the future.

The chart below contains two categories of corrective actions with examples and samples of evidence that could illustrate such actions. **Examples may include excerpts from the applicant's WASC accreditation report.**

Type of Corrective Action	Examples of Corrective Actions and Related Evidence
Adjustments made to Program Delivery	<ul style="list-style-type: none"> • Implementation of a comprehensive, rigorous, and coherent curricular program and a description or sample of the curriculum. • Use of an assessment and accountability system to monitor student progress. • Implementation of curriculum that is developmentally sequenced based on grade level and aligned to the Common Core. • Description and schedule of systematic and regular use of data to identify and implement research-based instructional programs aligned to school improvement efforts. • Description of a well-defined professional learning program that is job-embedded, aligned to standards, and supports instructional needs. • Description of action taken to increase the effective use and amount of time for core subject learning and engagement. • Description that allocation of resources was re-aligned with overall academic needs. • Description of screening, supports, resources and interventions added to support diverse learners including students with disabilities and English Language Learners. • Evidence that the school staff has a common understanding of high-quality instruction. Instructional practices are aligned to this common understanding and are based on high expectations for all students.
Adjustments made to school structure that promote academic success	<ul style="list-style-type: none"> • Effective monitoring, implementation and evaluation of progress and revision of school improvement plans. • Collection and use of data to identify goals, assess organizational effectiveness, and promote organizational learning. • Sample student schedules before and after changes were made to maximize instructional time for core instruction. • Revisions to organizational structure made to support student achievement goals. • Description of the system in place for monitoring instructional practice for consistency and formal teacher evaluation. • Professional learning program that differentiates for the varying needs of individual personnel based in part on student achievement.

Describe what corrective actions school leadership has taken to improve academic outcomes since school year 2013-2014. The narrative should demonstrate reflective school leadership that has been proactive in identifying shortfalls and taking decisive action to improve key academic outcomes, and a description of the resulting student outcomes. This section should not contain plans for the future.

DRAFT DRAFT DRAFT

Renewal Narrative (continued)

DRAFT DRAFT DRAFT

Renewal Narrative (continued)

DRAFT DRAFT DRAFT

5. Academic Growth of Underserved Students

If applicable, demonstrate how the majority of students are entering the school with academic deficiencies of at least two years in English Language Arts and Math, and provide supporting evidence and demonstrate how the school is making academic gains (measured by student growth) at a rate that will put them on pace to reach grade level proficiencies by graduation.

If student mobility of at least 30% impacts the school, describe what interventions or measures are taken to aggressively address the impact of high student mobility on the educational environment.

Academic Growth of Underserved Students (continued)

DRAFT DRAFT DRAFT

Academic Growth of Underserved Students (continued)

DRAFT DRAFT DRAFT

ADDITIONAL INFORMATION (OPTIONAL)

Charter contract renewal applicants may present additional evidence, beyond the data contained in the Charter School Performance Report, to support their case for renewal³. Applicants may also describe improvements undertaken or planned for the school and detail the charter school's plans for the next charter contract term. (The Additional Indicators section already captures some of this evidence.) Applicants may choose to attach additional documentation to supplement this application.

³ As allowed for in HRS §302D-18(c) The renewal application guidance shall, at a minimum, provide an opportunity for the public charter school to: (1) Submit any corrections or clarifications to the performance report; (2) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal; (3) Describe improvements undertaken or planned for the school; and (4) Detail the charter school's plans for the next charter term.

Appendix A: General Statement of Assurances

This form must be signed by the Governing Board Chair of the applicant charter school. An application for renewal will be considered incomplete and will not be accepted if it does not include the Statement of Assurances.

As the authorized representative of the charter school, I hereby certify under the penalties of perjury that the information submitted in this application for renewal of a public school charter for _____ (name of school) located at _____ is true to the best of my knowledge and belief; and further, I certify that the school:

1. Will not charge tuition, fees, or other mandatory payments for attendance at the charter school, for participation in required or elective courses, or for mandated services or programs (Section 302D-28(h), HRS; Section 8.8, Charter Contract)
2. Will enroll any eligible student who submits a timely and complete application, unless the school receives a greater number of applications than there are spaces for students. If the number of application exceeds the spaces available, the school will hold a lottery in accordance with charter laws and regulations (Section 302D-34(b), HRS; Section 5.2, Charter Contract).
5. Will be open to all students, on a space available basis, and shall not discriminate against any student or limit admission based on race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic or athletic ability (Section 302D-34(a), HRS; Section 5.1, Charter Contract).
6. Will be secular in its curriculum, programs, admissions, policies, governance, employment practices, and operation in accordance with the federal and state constitutions and any other relevant provisions of federal and state law.
7. Will comply with the federal Age Discrimination Act of 1975 and Title IX of the Education Amendments of 1972.
8. Will adhere to all applicable provisions of federal and state law relating to students with disabilities including, but not limited to, the Individuals with Disabilities Education Act, section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990.
9. Shall provide services to students who are English language in compliance with all applicable federal and State laws, regulations, rules, court orders, policies, procedures, and guidance including, but not limited to, Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974.
10. Will meet the performance standards and assessment requirements set by the State of Hawaii Board of Education for all students in public schools.
11. Shall complete an independent annual financial audit, conducted in accordance with Generally Accepted Auditing Standards and Governmental Auditing Standards and performed by a certified

public accountant, no later than November 15th of every year, as required by the charter school statute (Chapter 302D-32, HRS; Section 11.3.4, Charter Contract).

12. Shall provide actual and projected enrollment data to the State Public Charter School Commission as required for funding and reporting purposes (Section 11.2, Charter Contract).
13. Shall maintain accurate and comprehensive financial records, operate in accordance with Generally Accepted Accounting Principles, and use public funds in a fiscally responsible manner (Section 9.1, Charter Contract).
14. Shall comply with applicable State licensing requirements and license all teachers with the Hawaii Teachers Standard Board and meet the federal designation of "Highly Qualified" (Section 10.3, Charter Contract).
15. Shall provide verifiable information that a criminal background check has been performed, prior to their employment, on all employees of the school who will be working in close proximity to children (Chapter 302D-33, HRS; Section 10.6, Charter Contract).
16. Will obtain and keep current all necessary permits, licenses, and certifications related to fire, health, and safety within the building(s) and on school property (Section 7.3, Charter Contract).
17. **Shall maintain compliance with all provisions of HRS§302D-12, and** submit to the State Public Charter School Commission the names, and contact information of all members of the school's governing board and disclose whether any governing board members are or have been in the past year, an employee, contractor or vendor of the school, a relative of an employee, contractor, or vendor of the school within the past year. (HRS§302D-12)
18. **Shall ensure that governing board members and employees of the charter school who are also employed by the school's affiliated non-profit organization refrain from taking official action on behalf of the charter school affecting the non-profit and from assisting the non-profit organization in matters before the charter school, and from acting as a representative for the non-profit organization in its interactions with the charter school. (Hawaii State Ethics Commission, Advisory Opinion No. 2015-2)**
19. Will ensure that every member of the school's governing board shall comply with the open meeting provisions of HRS§302D-12(h) and the Hawaii State Ethics Code as stated in HRS§302D-25 (3)(c).
20. Shall be subject to collective bargaining and comply with the master agreements as negotiated by the State; provided that the school may enter into supplemental collective bargaining agreements (Chapter 302D-25, HRS; Section 10.1, Charter Contract).
21. Will provide State Public Charter School Commission with information regarding any bank account(s) held solely in the name of the charter school, including bank account number(s) and authorized signatories of the respective account(s).
22. Will notify the State Public Charter School Commission immediately in writing of any change in circumstances that may have a significant impact on the school's ability to fulfill its goals or missions as stated in its charter.

23. Will submit in writing to the State Public Charter School Commission a request to amend its charter if the school plans to make a change to its **Essential Terms**.

Signature:	
Title:	Chair, Governing Board
Date:	

Appendix B: Renewal Application Certification Statement

Name of School:	<Commission will pre-populate>
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I hereby certify under the penalties of perjury that the information submitted in this application for renewal of a public school charter contract is true to the best of my knowledge and belief and that this application has been approved by the school's Governing Board.

Signature: Chair of Governing Board

Date

Print/Type Name:	
Date of approval by governing board:	

Appendix C: Scoring Rubric for Additional Indicators

1. Academic Trend Indicators-Minimum Performance and Growth Expectations Rubric

Type of Indicator	Measure	Minimum Performance Growth Expectations
API	Strive HI Academic Performance Index (API) score	➤ Increase of at least 40 points or more from Year 1 to Year 3
Achievement	Proficiency on Hawaii State Bridge Assessment in Reading (Year 1) / Smarter Balanced Assessment in ELA/Literacy (Years 2 & 3)	➤ Increase of 25 percentage points or more from Year 1 to Year 3 or attainment of 85% proficiency in year 3
Achievement	Proficiency on Hawaii State Bridge Assessment in Math (Year 1) / Smarter Balanced Assessment in Math (Years 2 & 3)	➤ Increase of 25 percentage points or more from Year 1 to Year 3 or attainment of 85% proficiency in year 3
Readiness	Chronic Absenteeism	➤ Decrease of 10 percentage points or more from Year 1 to Year 3
Readiness	Score of 15 or greater on the 8 th grade Explore	➤ Increase of 30 percentage points or more from Year 1 to Year 3 or 85% of students demonstrating college readiness in year 3
Readiness	Score of 19 or greater on the 11 th grade ACT	➤ Increase of 30 percentage points or more from Year 1 to Year 3, or 85% of students demonstrating college readiness in year 3
Readiness	Graduation rate – for schools with a graduation rate of 70% or lower in 2013-2014	➤ Graduation rate for <i>all students</i> is the same or higher than the DOE's annual measureable objective (AMO) of 87% -AND ➤ Graduation rates for <i>students in each specified sub-group (ELL, FRL, SPED)</i> is the same or higher than the DOE's AMO of 87%
Readiness	Graduation rate – for schools with a graduation rate of more than 71% in SY 2013-2014	➤ Increase of at least 20 percentage points from Year 1 to Year 3 for <i>all students or a 95% graduation rate in year 3</i> -OR- ➤ Increase of at least 20 percentage points for <i>students in each specified sub-group (ELL, FRL, SPED) or attainment of 95% graduation rate in each sub-group in year 3</i>

Score	Designation	Points awarded
Applicant meets the minimum growth expectations for three or more academic indicators	Exceeds Expectations	10 points
Applicant meets the minimum growth expectations for two academic indicators	Meets Expectations	5 points
Applicant meets the minimum growth expectations for one or no academic indicators	Does Not Meet Expectations	0 points

2. Demographic Comparison

Score	Designation	Points awarded
<p>The Demographic Comparison will exceed expectations if it contains all of the following elements:</p> <ol style="list-style-type: none"> 1. The demographic comparison is narrowly defined; 2. The data table shows clear comparisons between the applicant and the schools, complexes, or regions that form the comparison; 3. The data that indicate the applicant is offering a superior academic program as evidenced by each of the following: <ol style="list-style-type: none"> a. Higher levels of proficiency in both ELA and Math; and b. Higher levels of college readiness as measured by either <ol style="list-style-type: none"> i. chronic absenteeism for elementary schools; ii. the percentage of students that score a 15 or higher on Explore for middle schools; or iii. or the percentage of students that score 19 or higher on the ACT for high schools. 	Exceeds Expectations	10 points
<p>The Demographic Comparison will meet expectations if it contains the following elements:</p> <ol style="list-style-type: none"> 1. The demographic comparison is narrowly defined; 2. The data indicates that the applicant is offering a better academic program as evidenced by either: 	Meets Expectations	5 points

Score	Designation	Points awarded
<ul style="list-style-type: none"> a. Higher levels of proficiency in both ELA and Math; or b. Higher levels of college readiness as measured by <i>either</i> <ul style="list-style-type: none"> i. chronic absenteeism for elementary schools; ii. the percentage of students that score a 15 or higher on Explore for middle schools; <i>or</i> iii. the percentage of students that score 19 or higher on the ACT for high schools. 		
<p>The Demographic Comparison will not meet expectations if it lacks any of the following elements:</p> <ul style="list-style-type: none"> 1. The demographic comparison is narrowly defined; 2. The data indicates that the applicant is offering a better academic program as evidenced by <i>either</i>: <ul style="list-style-type: none"> a. Higher levels of proficiency in both ELA and Math; or b. Higher levels of college readiness as measured by <i>either</i> <ul style="list-style-type: none"> i. chronic absenteeism for elementary schools; ii. the percentage of students that score a 15 or higher on Explore for middle schools; <i>or</i> iii. the percentage of students that score 19 or higher on the ACT for high schools. 	Does Not Meet Expectations	0 points

3. Gap Analysis

Score	Designation	Points awarded
Renewal Applicant's gap between High Needs students and non-High Needs students is smaller than the statewide average gap in the Fall of 2016	Meets Expectations	10 points
Renewal Applicant's gap between High Needs students and non-High Needs students is larger than the statewide average gap in the Fall of 2016	Does Not Meet Expectations	0 points

Gap Analysis – Adjustment Plan

Score	Designation	Points awarded
<p>If the applicant's gap is larger than the statewide average gap in the Fall of 2016, and the applicant has proposed a comprehensive plan for closing the gap and effectively improving the performance of High Needs Students, such plan should include the following essential criteria:</p> <ul style="list-style-type: none"> • research proven strategies • clear, actionable steps and deadlines for completion • identified personnel or roles in charge of each step. 	Meets Expectations	5 points
<p>If the applicant's gap is larger than the statewide average gap in the Fall of 2016, the applicant has proposed a plan to close the gap between High-Need student performance and non-High Need student performance but the plan lacks essential criteria:</p> <ul style="list-style-type: none"> • research proven strategies • clear, actionable steps and deadlines for completion • identified personnel or roles in charge of each step. 	Does Not Meet Expectations	0 points

4. Renewal Narrative

Type of Corrective Action	Examples of Corrective Action/Samples of Evidence
Adjustments made to Program Delivery	<ul style="list-style-type: none"> ➤ Implementation of a comprehensive, rigorous, and coherent curricular program and a description or sample of that curriculum. ➤ Use of an assessment and accountability system to monitor student progress. ➤ Implementation of curriculum that is developmentally sequenced based on grade level and aligned to Common Core. ➤ Description and schedule of systematic and regular use of data to identify and implement research-based instructional programs aligned to school improvement efforts ➤ Description of a well-defined professional learning program that is job-embedded, aligned to standards, and supports instructional needs. ➤ Description of action taken to increase the effective use and amount of time for core subject learning and engagement. ➤ Description that allocation resources were re-aligned with overall academic needs. ➤ Description of screening, supports, resources and interventions added to support diverse learners including students with disabilities and English Language Learners. ➤ Evidence that the staff has a common understanding of high-quality instruction. Instructional practices are aligned to this common understanding and are based on high expectations for all students.
Adjustments made to school structure to promote academic success	<ul style="list-style-type: none"> ➤ Effective monitoring, implementation and evaluation of progress and revision of school improvement plans. ➤ Collection and use of data to identify goals, assess organizational effectiveness, and promote organizational learning. ➤ Sample student schedules before and after changes made to maximize instructional time for core instruction ➤ Revisions to organizational structure made to support student achievement goals.

Type of Corrective Action	Examples of Corrective Action/Samples of Evidence
	<ul style="list-style-type: none"> ➤ Description of the system in place for monitoring instructional practice for consistency and formal teacher evaluation. ➤ Professional learning program that differentiates for the varying needs of individual personnel based in part on student achievement.

Score	Designation	Points awarded
Renewal applicant clearly describes four or more major adjustments made since the 2013-2014 school year and explains how those changes led to increased academic gains.	Exceeds Expectations	10 points
Renewal applicant clearly describes at least three major changes made since the 2013-2014 school year and explains how those changes led to academic gains	Meets Expectations	5 points
Renewal applicant does not clearly describe major changes or does not clearly demonstrate how any changes lead to increased academic gains	Does Not Meet Expectations	0 points

BONUS POINTS

5. Academic Growth of Underserved Students ⁴

Score	Designation	Points awarded
Applicant provides sufficient data to demonstrate the majority of students who entered the school at entry level grades were at least <u>four years below grade level</u> and have demonstrated student growth at a rate ⁵ that will allow them to achieve proficiency by graduation.	Exceeds Expectations	10 points
Applicant provides sufficient data to demonstrate the majority of students who entered the school at the entry level grades were at least <u>two years below grade level</u> and have demonstrated student growth at a rate to allow them to achieve proficiency by graduation.	Meets Expectations	5 points

⁴ Examples of baseline data may include Kindergarten Readiness Assessment, SBAC scores, NWEA, STAR, or Lexile Reading Scores.

⁵ For example, if 9th graders enter high school at a 7th grade math/ELA level, they must show a rate of growth of one and a half years of academic gains each year to be at grade level proficiency by graduation.

6. Impact of High Student Mobility

<p>Applicant demonstrates that the student mobility rate is at least 30% and the school has an effective program of interventions that address the impact of high mobility on the learning environment. The applicant response should include:</p> <ul style="list-style-type: none">• A description of diagnostic assessments for incoming students• A description of wrap-around supports that are provided by the school.• A description of effective intervention strategies used by classroom teachers and school administrators to alleviate the disruption in learning;• Effective tools of remediation used by the Renewal Applicant.	<p>Exceeds Expectations</p>	<p>5 points</p>
<p>Applicant demonstrates that the student mobility rate is at least 30% and the school has an effective program of interventions that address the impact of high mobility on the learning environment. The applicant response will include at least two of the following:</p> <ul style="list-style-type: none">• A description of diagnostic assessments for incoming students• A description of wrap-around supports that are provided by the school.• A description of effective intervention strategies used by classroom teachers and school administrators to alleviate the disruption in learning;• Effective tools of remediation used by the Renewal Applicant.	<p>Meets Expectations</p>	<p>3 points</p>

Exhibit 4

Comments and Responses

<http://www.chartercommission.hawaii.gov/#!/public-comments-to-proposed-renewal-crit/ccjf>

Public comments, questions, and suggestions on the proposed charter contract renewal criteria are summarized here, along with responses from Commission staff.

This list will continue to be expanded and updated.

[PERFORMANCE CRITERIA](#)

[PERFORMANCE DATA](#)

[METHODOLOGY FOR DETERMINING TERM OF NEW CONTRACT](#)

[PROBATION](#)

[NON-RENEWAL](#)

[OTHER](#)

PERFORMANCE CRITERIA

Comment:

Can WASC Accreditation be factored into the renewal criteria?

Response:

Accreditation by the Western Association of Schools and Colleges (WASC) is not an outcome or a measure, but rather a continual process of institutional self-reflection and self-improvement intended to result in the positive outcomes and measures that, in turn, are the focus of charter school authorizing and contract renewal. As such, treating a school's accreditation status as an outcome in and of itself would not be appropriate and, indeed, would exacerbate the risk that a school will fixate more on its accreditation status than on the process. This same question arose during the development of the State's Strive HI Performance System, and the response of the Department of Education (DOE) was the same.

That said, the proposed contract renewal criteria and application do provide an opportunity for a charter school to highlight the findings in its accreditation report from WASC. One of the Additional Indicators a school can submit is its Renewal Narrative, where the school can identify concrete actions it has undertaken for school improvement. Schools applying for a new contract will be specifically invited to include within this narrative relevant findings of its accreditation report, if applicable.

PERFORMANCE DATA

Comment:

Percentiles cannot be averaged, so how will the Commission calculate the schools' three-year average percentile ranks?

Response:

Since percentile ranks are derived from a normal distribution (bell curve), they are not on an equal interval scale and are not suitable for averaging. A normal curve equivalent (NCE), on the other hand, is

on an equal interval scale and is suitable for statistical calculations. In order to determine the three-year average percentile rank for each charter school, the percentile ranks for each relevant year (school years 2013-2014, 2014-2015, and 2015-2016) will be converted to NCEs, averaged, and then converted back to percentiles.

Comment:

Why is charter school academic performance data from 2013-14 being factored in to renewal decisions? It was my understanding that results from 2013-14 would not result in non-renewal.

Response:

Under the one-year Contract 1.0, no existing charter schools were required to undergo a renewal performance review, and potentially face non-renewal, in order to receive Contract 2.0. But including this year of academic data will provide in a clearer picture of the school's performance over time and result in more informed decisions.

Comment:

What is the statistical relevance of the change from the HSA to the SBAC student assessments? How can we consider together the academic performance of schools from years in which the assessments were different?

Response:

Although the two assessments are different, both the Strive HI Performance System and the Commission's draft contract renewal criteria account for this by focusing on the school's performance relative to other public schools. Because all public schools necessarily are evaluated using the same assessments (although charter schools also are allowed to propose School-Specific Measures), there is no relative advantage or disadvantage to one school. In general, school accountability systems are not static. It is in the interest of schools that they be refined, and this need not require continually starting everything over.

Comment:

With such heavy emphasis on the Academic Performance Index (API) ranking, we are perpetuating a heavy reliance on standardized test scores, especially since School-Specific Measures (SSMs) are so hard to get approved by the Commission.

Response:

Charter schools are free to teach their students in the variety of ways that they have articulated in their charter contracts. However, as public schools, they are appropriately accountable for student outcomes as measured under Hawaii's accountability system.

A charter school also is able to develop and propose one or more additional School-Specific Measures (SSM), which can cumulatively count up to 25%. This is a very heavy weighting of factors other than state measures compared to what is accepted in other jurisdictions. It is certainly not the case that an SSM needs to be years in development, nor is it the case that every SSM must be of the school's own

devising. Ideally the Commission would like to see every charter school evaluated in part using an SSM. On the other hand, the measure must be sufficiently validated to warrant counting so heavily in a school's results. Not only does this protect children, but no school should risk having its performance results depend so heavily on a measure without the benefit of validation and calibration using baseline data. The Commission has removed the deadline to submit School-Specific Measures each year so that they now can be considered on an ongoing basis and schools can approach the Commission at the early stages of an idea for a SSM.

Comment:

How do Strive HI classifications factor into the proposed renewal criteria?

Response:

The classification a school receives under the Strive HI Performance System (Recognition, Continuous Improvement, Focus, or Priority) is not considered under the proposed renewal criteria. For that matter, the classification is not considered by the Commission under the Commission's Academic Performance Framework, but is included in the Commission's Annual Report for informational purposes only.

Comment:

The Academic Trend indicators rubric in the appendix of the draft application for schools falling in Bracket 2 are mathematically unachievable for schools already in the higher end of the bracket, so the rubric needs to be adjusted to allow those schools to be able to earn the maximum points under that additional indicator category.

Response:

This was a good point, and the draft application has been revised to correct the error.

METHODOLOGY FOR DETERMINING TERM OF NEW CONTRACT

Comment:

Section 1.1 of the current Contract 2.0 provides that, "if the School demonstrates exemplary performance, as determined by the Commission, on the Performance Frameworks under Section 4.1, it shall be granted a two-year extension through June 30, 2019." But the Commission's proposal and the Guiding Principles it has established for the renewal criteria instead now say that top-performing schools will be eligible for a new five-year contract. Why is this allowed?

Response:

Under the proposal, schools would still be eligible under Contract 2.0 to receive the two-year contract extension if they really prefer this. However, based on feedback from schools, the Commission's assumption is that any school that is eligible under the renewal criteria at the end of this contract term for a full, five-year contract would prefer that to only a two-year extension. This would ensure that the highest-performing schools have the longest contract terms.

Comment:

A school that falls into Bracket 3 would be eligible only for a one-year contract if it fails to meet standard under the Organizational or Financial Performance Frameworks and/or fails to earn enough points for

Additional Indicators. This would feel similar to the last-chance extra probationary year, even though this school is not in the bottom tier of schools.

Response:

In addition to the concern expressed in this comment, the Bracket 3 school also would have to begin a contract renewal process early in the very next year after having gone through the process to earn the one-year contract. In order to avoid these issues and allow a below-average but not bottom-tier school more time, the proposal has been revised so that Bracket 3 schools are eligible for either a two- or a three-year contract, instead of either a one- or a two-year contract.

Comment:

If one of the Commission's Guiding Principles for the final contract renewal criteria is that all three Performance Frameworks in the Charter Contract (academic, financial, and organizational) matter, shouldn't the renewal of a school falls into Bracket 1 because of its high academic performance also factor in the school's organizational and financial performance somehow, instead of automatically being for a five-year term?

Response:

Yes. In response to this comment, the proposal has been revised so that a Bracket 1 school would be eligible for the full five-year contract term only if it met standard under the Organizational and Financial Frameworks. Otherwise it would only be eligible for a four-year contract.

The same principle also will apply to the six Hawaiian immersion charter schools and to Mālama Honua Public Charter School, which all will be granted a new contract to allow for more years of academic results to be gathered to inform renewal decisions. Each of these schools will be eligible for a three-year contract, unless it fails to meet standard under the Organizational and/or Financial Performance Framework. In that case it will be eligible for a two-year contract.

Comment:

Why are only schools that fall into Brackets 2 and 3 allowed to submit the Additional Indicators? Shouldn't schools that fall into Bracket 4 and opt for a probationary contract also have the opportunity to do so?

Response:

The probationary terms that a school must fulfill in its probationary year in order to avoid closure will be informed by a thorough review of the school's data, including but not limited to the information related to the Additional Indicators. However, in response to this comment the draft application has been revised so that a Bracket 4 school is specifically invited to submit the Additional Indicators, to help inform the process of setting probationary terms.

The application also has been revised to allow schools that fall into Bracket 1 to submit the Academic Indicators. For a charter school, the charter contract application can serve not only the purposes of contract renewal but also could be a valuable document to help the school tell its story to prospective funders and other stakeholders. Even if the Additional Indicators are not needed to determine the

length of the new contract of a top-performing school, the information could be powerful for this other purpose.

Comment:

In some charter schools, many students come to the school already years behind grade level. This should be considered in the renewal criteria.

Response:

In response to this comment a fifth Additional Indicator has been added to the proposal for Underserved Students, whereby a school could earn bonus points if (1) a majority of its students who enroll during the schools major entry years (e.g., kindergarten and sixth grade) are at least two years behind grade level, and (2) the school can show through data that it is on track for preparing these children to reach grade level by the time they graduate. More bonus points could be earned where the percentage is higher. Because these are bonus points, this addition will impose no disadvantage on schools that are not in this situation.

Comment:

Some charter schools have an extraordinarily high rate of student mobility (transfers in and out of the school) during the school year. This should be considered in the renewal criteria.

Response:

In response to this comment, the new Additional Indicator describe above for underserved students will include a provision whereby the school can earn bonus points if at least 30% of students enrolled at the school during the school year are enrolled there for less than the entire school year. Because these are bonus points, this addition will impose no disadvantage on schools that are not in this situation.

PROBATION

Comment:

Does the Commission really want to close down the bottom one-fifth of Hawaii's charter schools?

Response:

This question reflects some misunderstanding of the Commission's proposal. Under the proposal, if a charter school's academic performance over a three-year period places it in the bottom 20th percentile of all public schools in its grade division (elementary, middle, or high), it could face non-renewal, but it will have the option instead of receiving a one-year probationary contract so that it gets additional year beyond the term of the current contract to show sufficient improvement to receive an additional contract and avoid closure.

This proposal compares the school's performance to that of all public schools, DOE and charter, in the school's grade division. It does not look the bottom 20% of charter schools. Since the proposal looks at all public schools in the percentile rankings, no charter school needs to be in the bottom 20th percentile of public schools.

Comment:

What kind of additional assistance will be made available to those schools whose academic performance falls into the fourth bracket (i.e., the bottom 20% of all public schools in its grade division)?

Response:

The more difficult part of the answer is that, fundamentally, it was never a premise of charter schooling to begin with that if a charter school is performing poorly, the response of the education system should be to devote significant additional resources to that school.

That said, the Commission is starting academic monitoring of charter schools that currently are academically low-performing, rather than waiting for any school eventually to be grouped in Bracket 4 based on three years of academic performance. Under this process, the school will receive assistance in reviewing what its performance data reveal about its challenges and in self-identifying priorities and targets for its school improvement efforts. Resources may be available to the school under the Strive HI Performance System, under Title I, and from private funders that the school can approach about the urgency of the need and the credibility of its improvement plans.

Comment:

Under this proposal, why won't schools that fall in the bottom 20% have a right to appeal the non-renewal of their contracts? Don't they have a legal right to appeal?

Response:

In keeping with basic premises of charter schooling, at the end of the current contract term bottom-performing schools would face non-renewal. However, it is the fervent hope of the Commission that every school will improve sufficiently over the coming years not to face non-renewal in the first place. In addition, under the Commission's proposal these schools will have another option, and another chance, if they choose to accept it.

Every school in the bottom bracket over the three-year period would be allowed to apply for a one-year, probationary contract instead of non-renewal. This would give the school an additional year beyond its current contract to reach probationary performance terms set in conjunction with the Commission, which will be an outgrowth of the academic monitoring in which the school and the Commission already will have been engaged. It also would allow a fourth year of academic performance data to be considered, which could cause the school to be removed from probation.

A school's governing board is not legally required to accept the option of probation. If the board instead preferred to avail itself of the full appeals process, it could opt for the normal non-renewal proceedings during the second semester of the 2016-17 school year. But the Commission is not legally required to offer a probationary year instead of non-renewal. If the school's governing board did choose to accept the offer for an extra year, it would accept the probationary contract that would require the school to (1) achieve its probationary terms, (2) exit probation automatically because of its 2016-17 academic performance, or (3) close. Whether the probationary terms were met or the 2016-17 results lifted the school above the 20th percentile over four years would be a relatively straightforward data calculation that would not necessitate months of proceedings.

As a practical matter, if the school's governing board did accept the offer of the additional year, the school would want as much time as possible during that probationary year to meet its probationary terms. This would not be possible using the current model of lengthy appeals, because that process would have to be initiated relatively early in the probationary school year to ensure that it concluded before the start of the next school year. In response to school feedback, however, a limited purpose appeal would be provided if the issue were simply whether the Commission erred in its calculation of whether the school met its probationary terms.

Comment:

If a school is on probation, a fourth year's academic results for the school will come in during the probationary year. Shouldn't that be an important factor, and not just the school's progress on its probationary terms, in whether the school emerges from probation and is granted a new contract or closes?

Response:

It does make sense that a school's full fourth year of academic performance data—if particularly high or low—should factor more heavily than the school's attainment or non-attainment of probationary terms. Therefore the proposal is being revised so that if the fourth year academic performance, when averaged with the previous three years' of results, causes the school to fall above the 20th percentile of all public schools in its grade division over the four-year period, then the school will promptly be removed from probationary status and granted a two- or three-year contract, regardless of its progress toward meeting its probationary terms. Conversely, if the fourth year academic performance, when averaged in with the previous three years' of results, causes the school to fall in the 10th percentile or lower for all public schools in its grade division over the four-year period, then the school will be closed, regardless of its progress toward meeting its probationary terms.

NON-RENEWAL

Comment:

Charter schools serve unique needs, and if they are closed, their students probably will drop out of school altogether.

Response:

In the event that any charter school were to be closed, every effort would need to be made to ensure that its students, especially at-risk students, make successful academic transitions.

OTHER

Comment:

The contract mandate for Commission staff to conduct inspections of student files and records may violate student privacy.

Response:

Section 99.31 of the regulations for the Family Educational Rights and Privacy Act (FERPA) allows the disclosure of personal identifiable information without the prior consent of parents and students to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. As the state authorizer of public charter schools, the Commission is statutorily mandated to monitor the performance and legal compliance of Hawaii's public charter schools.

Comment:

Hawaii's charter school law says the Commission is supposed to issue "a charter school performance report and charter contract renewal application guidance" to schools. But the Commission's proposal makes no reference to this.

Response:

In fact, under the Commission's proposal, in July of 2016 the Commission will issue each school a preliminary renewal performance report, based on performance data from the 2013-14 and 2014-15 school years. In October of 2016 these report will be updates to include a third year of performance data from the 2015-16 school year. In addition, the Commission already has drafted and revised the charter contract renewal application and made it available for public comments, and the accompanying guidance will be added to that document.

Comment:

With potential changes to federal education law, including the possible reauthorization of the Elementary and Secondary Education Act (ESEA), the charter contract must be aligned so implementation can reflect new federal guidelines.

Response:

The substantive provisions of the Charter Contract schools will receive for a term starting in school year 2017-18 are not the issue before the Commission now but, rather, the means by which a school's performance under the performance frameworks will be factored into the determination of the length of the contract term for which the school will be eligible. Speculating about potential changes to federal and state education law and policy, which are dynamic, not static, should not delay the implementation of the fundamental features of a chartering system.

Comment:

Were other states' criteria or national criteria considered in the creation of these proposed renewal criteria?

Response:

Resources and examples consulted during the development of the proposal included the following:

- National Association of Charter School Authorizers (NACSA) Core Charter School Renewal Application Guidance;
- U.S. Department of Education Notice Inviting Applications for the 2015 Charter School Programs Grants for State Educational Agencies, Notice of Final Priorities and related materials, available; <http://www2.ed.gov/programs/charter/index.html>
- Baltimore City Public School Charter School Renewal <http://www.baltimorecityschools.org/Page/24387>;
- Los Angeles Unified School District Independent Charter Renewal <http://achieve.lausd.net/site/Default.aspx?PageID=1825>;
- Delaware Department of Education Charter School [renewal webpage](http://www.doe.k12.de.us/domain/151) <http://www.doe.k12.de.us/domain/151>;
- District of Columbia Public Charter School Board [renewal applications](http://www.dcpsb.org/report/charter-reviews-and-renewals-0); <http://www.dcpsb.org/report/charter-reviews-and-renewals-0>
- Florida – School District of Lee County [renewal applications](http://www.leeschools.net/renewal-of-charter-status); <http://www.leeschools.net/renewal-of-charter-status>
- Massachusetts Charter Schools [renewal application](http://www.doe.mass.edu/charter/acct.html?section=renew); <http://www.doe.mass.edu/charter/acct.html?section=renew>
- Michigan - The Governor John Engler Center for Charter Schools [reauthorization page](http://cmucso.org/modules.php?name=Pages&sp_id=192&pmenu_id=6); http://cmucso.org/modules.php?name=Pages&sp_id=192&pmenu_id=6
- Nevada State Public Charter School Authority [renewal page](http://charterschools.nv.gov/ForSchools/Renewal/); <http://charterschools.nv.gov/ForSchools/Renewal/>
- New Hampshire Department of Education Charter School [renewal application](http://education.nh.gov/instruction/school_improve/charter/cs_renewalprocess.htm); http://education.nh.gov/instruction/school_improve/charter/cs_renewalprocess.htm
- New Jersey State Department of Education Charter School [renewal application](http://www.state.nj.us/education/chartsch/app/renewal/); <http://www.state.nj.us/education/chartsch/app/renewal/>
- Philadelphia – School District of Philadelphia Charter School [renewal application](http://webgui.phila.k12.pa.us/offices/c/charter_schools/programs-services/renewal-process); http://webgui.phila.k12.pa.us/offices/c/charter_schools/programs-services/renewal-process and
- Texas Educational Agency Applications and Renewal Applications [renewal page](http://castro.tea.state.tx.us/charter_apps/production/applications.html) http://castro.tea.state.tx.us/charter_apps/production/applications.html.